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June 24, 2004

To: Examiner Steve Gucker **Telephone:** 571-272-0883 **Fax Number:** 571-273-0883
U.S. Patent Office

From: Lisa A. Haile, J.D. *R.H.D.* **Client-Matter Number:** 105265-159078
858-677-1456

Re: **Applicant:** Twardzik et al.
Application No.: 09/932,172
Filed: August 17, 2001
Title: TGF- α POLYPEPTIDES, FUNCTIONAL FRAGMENTS AND METHODS OF USE
THEREFOR

Pages: - 3 - (including this form) Originals: will be mailed will not be mailed

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(Form Rev. 6/5/00)

PATENT
Attorney Docket No.: STEM1110-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Twardzik et al. Art Unit: 1646
Application No.: 09/932,172 Examiner: Gucker, S.
Filed: August 17, 2001
Title: TGF- α POLYPEPTIDES, FUNCTIONAL FRAGMENTS AND
METHODS OF USE THEREFOR

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for Petitioner, STEM CELL PHARMACEUTICALS, INC., with its place of business at 562 First Avenue South, Suite 700, Seattle, Washington 98104, represents that Petitioner is the Assignee of all interest in Application No. 09/932,172, filed August 17, 2001, entitled TGF- α POLYPEPTIDES, FUNCTIONAL FRAGMENTS AND METHODS OF USE THEREFOR as evidenced by the Assignment recorded in the United States Patent and Trademark Office on February 1, 2002, at Reel 012553, Frame 0935.

The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Cara Grifone

(Name of person mailing paper)

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June 24, 2004

Date

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In re Application of:
Twardzik et al.
Application No.: 09/932,172
Filed: August 17, 2001
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PATENT
Attorney Docket No.: STEM1110-3

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, STEM CELL PHARMACEUTICALS, INC., disclaims the terminal part of any patent granted on the above-identified Application No. 09/932,172 which would extend beyond the expiration date of U.S. Patent 6,486,122. Petitioner hereby agrees that any patent so granted on the above-identified application, No. 09/932,172, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent 6,486,122, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

The Commissioner is hereby authorized to charge the amount of \$55.00 to cover the fee for the Terminal Disclaimer submitted herewith. The Commissioner is also authorized to charge any other fees or credit any overpayment to Deposit Account No. 50-1355.

Respectfully submitted,



Date: June 24, 2004

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